

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TAMMY TRIMIKIONOTIS,

MEMORANDUM AND ORDER

Plaintiff,

CV 06-44

-against-

(Wexler, J.)

SEVERN TRENT SERVICES, INC. and
RICHARD GARDNER,

Defendants.

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APPEARANCES:

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WEXLER, District Judge

Defendants in the above-captioned employment discrimination action moves for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure. Upon consideration of the papers in support of and in opposition to the motion, this Court finds that genuine issues of material fact exist precluding the entry of summary judgment with respect to plaintiffs' claims. See Fed. R. Civ. P. 56(c) (a party seeking summary judgment must demonstrate that "there is no genuine issue of any material fact and that the moving party is entitled to a judgment as a matter of law."); Celotex Corp. v. Catrett, 477 U.S. 317, 322 (1986);

Donohue v. Windsor Locks Bd. of Fire Comm'rs, 834 F.2d 54, 57 (2d Cir. 1987). Accordingly, defendants' motion for summary judgment is denied. The denial of the motion is without prejudice to renewal at the close of plaintiff's case.

SO ORDERED.

2
LEONARD D. WEXLER
UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York
July 31, 2007